

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JAMES GORMLEY, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

MAGICJACK VOCALTEC LTD.,
GERALD VENTO, and JOSE GORDO,

Defendants.

Case No. 1:16-cv-01869

Hon. Victor Marrero

Date: January 19, 2018

Time: 1:30 p.m.

Courtroom: 11B

**PLAINTIFFS' NOTICE OF MOTION AND MOTION FOR
FINAL APPROVAL OF CLASS ACTION SETTLEMENT
AND PLAN OF ALLOCATION OF SETTLEMENT PROCEEDS**

TO: All Counsel of Record

PLEASE TAKE NOTICE that, pursuant to the Court's September 29, 2017 Order Preliminarily Approving Settlement and Providing for Notice (ECF No. 57) (the "Court's Preliminary Approval Order"), on January 19, 2018, at 1:30 p.m. in Courtroom 11B at the United States District Court for the Southern District of New York, 500 Pearl St., New York, NY 10007, the Honorable Victor Marrero, presiding, Plaintiff James Gormley and Lead Plaintiff Samuel Saad Revocable Trust ("Plaintiffs") will and hereby do move for final approval of the proposed class action Settlement and for approval of the proposed Plan of Allocation.

This motion is based upon the Memorandum of Law in Support of Plaintiffs' Motion for Final Approval of Class Action Settlement and Plan of Allocation of Settlement Proceeds; the Declarations of Nicholas I. Porritt, Robert Cormio, and Samuel Saad; the record and proceedings in this Action; and such matters as the Court may consider at the time of the hearing.

DATED: December 15, 2017

Respectfully submitted,

By: /s/ Adam Apton

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